

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Jamarv Paremore Hammond, #112950, a/k/a
Jamarv P. Hammond, #265009,

Plaintiff,

v.

Lieutenant Burns, Sergeant Christopher Coons,
Corporal Cooper, and Corporal Julius Bean,

Defendants.

C/A No. 4:20-cv-3113-JFA-TER

ORDER

Plaintiff Jamarv Paremore Hammond (“Plaintiff” or “Hammond”), a self-represented prisoner, brings this action pursuant to 42 U.S.C. § 1983 alleging constitutional claims of excessive force while he was detained at the Dorchester County Detention Center (DCDC). In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.), the case was referred to the Magistrate Judge for pretrial proceedings, including consideration of Defendant’s motion to dismiss, or in the alternative, for summary judgment.

After reviewing the motion for summary judgment and all responsive briefing, the Magistrate Judge assigned to this action¹ prepared a thorough Report and Recommendation (“Report”). (ECF No. 69). Within the Report, the Magistrate Judge opines that Defendants’ motion for summary judgment (ECF No. 47) should be granted as Plaintiff did not exhaust his administrative remedies.

¹ The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.). The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976).

The Report sets forth, in detail, the relevant facts and standards of law on this matter, and this Court incorporates those facts and standards without a recitation.

Plaintiff was advised of his right to object to the Report, which was entered on the docket on October 29, 2021. (ECF No. 69). The Magistrate Judge required Plaintiff to file objections by November 12, 2021. *Id.* Plaintiff failed to file objections. Thus, this matter is ripe for review.

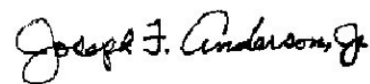
A district court is only required to conduct a *de novo* review of the specific portions of the Magistrate Judge's Report to which an objection is made. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b); *Carniewski v. W. Virginia Bd. of Prob. & Parole*, 974 F.2d 1330 (4th Cir. 1992). In the absence of specific objections to portions of the Magistrate's Report, this Court is not required to give an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

Here, Plaintiff has failed to raise any objections and therefore this Court is not required to give an explanation for adopting the recommendation. A review of the Report indicates that the Magistrate Judge correctly concluded that Defendants' motion for summary judgment should be granted as Plaintiff failed to exhaust the administrative remedies as required.

After carefully reviewing the applicable laws, the record in this case, and the Report, this Court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. Accordingly, this Court adopts the Magistrate Judge's Report and Recommendation and incorporates it herein by reference. (ECF No. 69). Consequently, Defendants' motion for summary judgment (ECF No. 47) is granted.

IT IS SO ORDERED.

November 29, 2021
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge